

REMARKS

Claims 1-10 and 12-28 were pending in the application.

Applicants thank the Examiner for the indication that claims 5, 6, 9, 15, 20, and 24 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include all of the limitations of claim 9. Claim 16 has been amended to include all of the limitations of claim 20. Claim 21 has been amended to include all of the limitations of claim 24.

New claims 29-31 have been added. New claim 29 includes all of the limitations of claims 1 and 5 as previously pending. New claim 30 includes all of the limitations of claims 1 and 6 as previously pending. New claim 31 includes all of the limitations of claims 1 and 15 as previously pending.

Claims 9, 20, and 24 have been cancelled without prejudice.

Support for the amendments to the claims and the new claims can be found in the application as originally filed, and no new matter has been added. Accordingly, claims 1-8, 10, 12-19, 21-23, and 25-31 will be pending after entry of the instant amendment. Applicants reserve the right to pursue the subject matter of the amended and/or cancelled claims in this or another application.

Double Patenting

The claims of the instant application were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,608,406.

Applicants respectfully traverse this rejection. However, in the interest of expediting prosecution, Applicants submit herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321, along with the required fee, disclaiming the terminal part of any patent issuing from the above-identified application which extends beyond the expiration of U.S. Patent No. 6,608,406.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the non-statutory obviousness-type double patenting rejection of the pending claims.

Rejection of claims 1-3, 7, 8, 10, 12-14, 16-17, 19, 21, 22, and 25-28 Under 35 U.S.C. 103(a)

Claims 1-3, 7, 8, 10, 12-14, 16-17, 19, 21, 22, and 25-28 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Tanzer et al. (U.S. Patent No. 6,229,691) in view of Levasseur (U.S. Patent No. 5,789,908).

Applicant respectfully traverses this rejection. However, in the interest of expediting prosecution, Applicant has amended the claims and added new claims as follows. Claim 1 has been amended to include all of the limitations of claim 9. Claim 16 has been amended to include all of the limitations of claim 20. Claim 21 has been amended to include all of the limitations of claim 24. New claims 29-31 have been added. New claim 29 includes all of the limitations of claims 1 and 5 as previously pending. New claim 30 includes all of the limitations of claims 1 and 6 as previously pending. New claim 31 includes all of the limitations of claims 1 and 15 as previously pending. Claims 9, 20, and 24 have been cancelled without prejudice.

Because the Examiner has indicated that claims 5, 6, 9, 15, 20, and 24 would be allowable if rewritten in independent form, Applicant submits that claims 1, 16, 21, and 29-31 are now allowable, as they each contain all of the limitations of an indicated-as-allowable claim and any intervening claims. In addition, all of the remaining claims are allowable, as they now all depend from allowable claims. Applicant submits that new claims 29-31 are also allowable, as they all contain subject matter indicated as allowable.

In view of the above, Applicant submits that all the present claims are unobvious from and patentable over Tanzer et al. (U.S. Patent No. 6,229,691) in view of Levasseur (U.S. Patent No. 5,789,908) under 35 USC § 103(a), and respectfully requests reconsideration and withdrawal of this rejection.

Rejection of claims 4, 18, and 23 Under 35 U.S.C. 103(a)

Claims 4, 18, and 23 have been rejected under 35 U.S.C. 103(a) as allegedly being obvious over Tanzer et al. (U.S. Patent No. 6,229,691) in view of Levasseur (U.S. Patent No. 5,789,908) in further view of Scott (U.S. Patent No. 5,204,798).

Applicant respectfully traverses this rejection. However, in the interest of expediting prosecution, Applicant has amended the claims and added new claims, as described above, in order to incorporate allowable subject matter into all of the claims.

In view of the above, Applicant submits that all the present claims, for example, claims 4, 18 and 23, are unobvious from and patentable over Tanzer et al. (U.S. Patent No. 6,229,691) in view of Levasseur (U.S. Patent No. 5,789,908) in further view of Scott (U.S. Patent No. 5,204,798) under 35 U.S.C. § 103(a), and respectfully requests reconsideration and withdrawal of this rejection.

Conclusion

In conclusion, applicant has shown that the present claims are unobvious from and patentable over the prior art under 35 U.S.C. § 103. Therefore, applicant submits that the present claims, that is claims 1-8, 10, 12-19, 21-23 and 25-31, are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call applicant's attorney at the telephone number given below.

Respectfully submitted,

Date: 11/12/07



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